

**MINUTES OF THE REGULAR MEETING OF THE COUNCIL  
OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA,  
HELD TUESDAY, SEPTEMBER 27, 2005, AT 7:00 P.M.**

The meeting was called to order by Vice Mayor Thomas R. Eggleston with the following Councilmembers present: Joyce V. Clark, Steven E. Frate, David M. Goulet, H. Philip Lieberman, and Manuel D. Martinez.

Absent: Mayor Scruggs

Also present were Pam Kavanaugh, Assistant City Manager; Jon Paladini, Deputy City Attorney; and Pamela Hanna, City Clerk.

**COMPLIANCE WITH ARTICLE VII, SECTION 6(c) OF THE GLENDALE CHARTER**

A statement was filed by the City Clerk that the seven resolutions and four ordinances to be considered at the meeting were available for public examination and the title posted at City Hall more than 72 hours in advance of the meeting.

**APPROVAL OF THE MINUTES OF THE SEPTEMBER 13, 2005 CITY COUNCIL MEETING**

**It was moved by Goulet, and seconded by Clark, to dispense with the reading of the minutes of the September 13, 2005 City Council meeting, as each member of the Council had been provided copies in advance, and approve them as written. The motion carried unanimously.**

**MOTION TO EXCUSE**

**It was moved by Martinez, and seconded by Frate, to excuse Mayor Scruggs from tonight's Council meeting. The motion carried unanimously.**

**PROCLAMATIONS AND AWARDS**

**BOARDS AND COMMISSIONS**

This is a request for the City Council to approve the recommended appointments to the following boards and commissions that have a vacancy or expired term and for the Vice Mayor to administer the oath of office to those appointees in attendance.

			<u>Effective Date</u> <u>Date</u>	<u>Expiration</u>
<b><u>Arts Commission</u></b>				
Janet Culbertson	Barrel	Appointment	09/27/2005	09/27/2007
Jacqueline Markowitz	Chair Sahuaro	Appointment	09/27/2005	09/27/2006
Frank Eager	Vice Chair Cholla	Appointment	09/27/2005	09/27/2006
<b><u>Citizens Advisory Commission on Neighborhoods</u></b>				
Kimberly M. Allen	At-Large (Yucca)	Appointment	09/27/2005	06/30/2006
<b><u>Citizens Bicycle Advisory Committee</u></b>				
William Wilkinson	Barrel (CTOC)	Re-appointment	09/27/2005	07/12/2007
<b><u>Citizens Transportation Oversight Commission</u></b>				
Erman C. Fisher	Cholla	Re-appointment	09/27/2005	11/25/2007
John A. Edmonson	Cactus	Appointment	09/27/2005	07/25/2007
<b><u>Commission On Persons With Disabilities</u></b>				
David O'Connell	Ocotillo (*Barrel)	Appointment	09/27/2005	09/27/2007
<b><u>Community Development Advisory Committee</u></b>				
Magda Nunez	Vice Chair Sahuaro	Appointment	09/27/2005	09/27/2006
<b><u>Judicial Selection Advisory Board</u></b>				
Karen Ewing	Chair	Re-appointment	09/27/2005	11/29/2006

The recommendation was to make appointments to the Boards and Commissions and administer the Oaths of Office.

**It was moved by Martinez, and seconded by Frate, to appoint Janet Culbertson, Jacqueline Markowitz and Frank Eager to the Arts Commission; Kimberly M. Allen to the Citizens Advisory Commission on Neighborhoods; William Wilkinson to the Citizens Bicycle Advisory Committee; Erman C. Fisher and John A. Edmonson to the Citizens Transportation Oversight Commission; David O'Connell to the Commission on Persons With Disabilities; Magda Nunez to the Community Development Advisory Committee; and Karen Ewing to the Judicial Selection Advisory Board, for the terms listed above. The motion carried unanimously.**

The Oath of Office was administered by Vice Mayor Eggleston to Janet Culbertson, Jacqueline Markowitz, Frank Eager, Kimberly M. Allen, William Wilkinson, Erman C. Fisher, David O'Connell, and Magda Nunez.

### NATIONAL FIRE PREVENTION MONTH

This is a request for the City Council to proclaim the month of October as National Fire Prevention Month. The Glendale Fire Department will celebrate Fire Prevention Month by hosting the 23<sup>rd</sup> Annual Fire Prevention Day and Parade on October 1, 2005.

Glendale citizens are being asked to participate in fire prevention activities at home, work, and school. Firefighter Linda Rider will be present to accept the proclamation from Vice Mayor Eggleston.

The purpose of this nationally observed month is to remind citizens of the importance of fire prevention at home, work, and school. This year's theme is "Use Candles With Care". Activities for Glendale's Fire Prevention Month begin with the city's Fire Prevention Day Parade on Saturday, October 1, 2005. The parade begins at 52<sup>nd</sup> and Glendale Avenues, proceeds west to 58<sup>th</sup> Avenue, and ends at Murphy Park.

The recommendation was to proclaim October as National Fire Prevention Month.

Vice Mayor Eggleston proclaimed October as National Fire Prevention Month. Firefighter Linda Rider and Firefighter Paul Morales were present to receive the proclamation.

Linda Rider, on behalf of the Fire Department, invited everyone to attend the Fire Prevention Day parade on Saturday, October 1st.

### **CONSENT RESOLUTIONS**

Ms. Pamela Kavanaugh, Assistant City Manager, read Consent Agenda Items 1 through 5 by title and Ms. Pamela Hanna, City Clerk, read Consent Resolutions Agenda Item Numbers 1 through 5 by number and title.

1. GOVERNOR'S OFFICE OF HIGHWAY SAFETY GRANT – DUI TASK FORCE

This is a request for the City Council to accept a one-year \$8,000 grant from the Arizona Governor's Office of Highway Safety (GOHS.) This grant will fund overtime expenses related to Driving Under the Influence (DUI) task force participation.

The Council has identified the importance of ensuring public safety through proactive programs promoting driver safety and awareness.

This grant will support overtime expenses incurred by the Police Department as an active member of the West Valley DUI Task Force. This enforcement overtime will target alcohol and drug-impaired drivers during the 2005 "You Drink & Drive. You Lose." enforcement campaign and during sustained enforcement campaigns.

The Police Department has received this one-time grant funding from GOHS annually.

This grant will assist the Police Department in enforcing DUI and roadway safety related laws to help reduce injuries and fatalities in the City of Glendale.

There are no matching funds required for this grant. This is a one-time grant from the State of Arizona Governor's Office of Highway Safety. A specific account will be established in Fund 47, the city's grant fund, once the grant agreement is formally executed.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
X		X	X		\$8,000

The recommendation was to waive reading beyond the title and adopt a resolution accepting the grant offer in the amount of \$8,000 from the Arizona Governor's Office of Highway Safety.

Resolution No. 3891 New Series was read by number and title only, it being **A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE SUBMISSION AND ACCEPTING THE GRANT OFFER IN THE AMOUNT OF \$8,000 FROM THE ARIZONA GOVERNOR'S OFFICE OF HIGHWAY SAFETY FOR THE DUI TASK FORCE ENFORCEMENT PROGRAM.**

2. CRIMINAL JUSTICE ENHANCEMENT FUND GRANT

This is a request for the City Council to accept a one-year \$50,000 grant from the Arizona Department of Public Safety. The grant will provide funds to the Police Department's Special Investigations Unit.

This grant assists the Police Department in meeting Council priorities of ensuring public safety.

The Criminal Justice Enhancement Fund Grant (CJEF) is annually applied for by the Police Department to help enforce and apprehend criminals involved in property and violent crimes - specifically in the area of identity theft, burglary, auto theft, and fugitive apprehension.

The Police Department has received this one-time grant funding annually for eighteen years.

Acceptance of this grant will assist the Police Department in its fight against criminals who commit property and violent crimes against the citizens of Glendale. Grant funding will be used to provide equipment and overtime funding.

There is no financial match required for this grant. This is a one-time grant from the Arizona Department of Public Safety Criminal Justice Enhancement Fund. On-going costs associated with equipment obtained through this grant total \$780 annually and will be absorbed in the current operating budget.

A specific account will be established in Fund 47, the city's grant fund, once the grant agreement is formally executed.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
\$50,000		X	X		\$50,000

The recommendation was to waive reading beyond the title and adopt a resolution accepting the grant offer in the amount of \$50,000 from the Arizona Department of Public Safety Criminal Justice Enhancement Fund.

Resolution No. 3892 New Series was read by number and title only, it being **A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, ACCEPTING THE GRANT OFFER IN THE AMOUNT OF \$50,000 FROM THE ARIZONA DEPARTMENT OF PUBLIC SAFETY, CRIMINAL JUSTICE ENHANCEMENT FUND, FOR THE SPECIAL INVESTIGATIONS UNIT OF THE GLENDALE POLICE DEPARTMENT.**

3. PROJECT SAFE NEIGHBORHOODS GUN INTELLIGENCE SUPPORT GRANT

This is a request for the City Council to accept grant funding for Project Safe Neighborhoods Gun Intelligence Support Program in the amount of \$50,000 from the Arizona Criminal Justice Commission and the Federal Bureau of Justice Assistance. Grant funds will provide monies for overtime and program operating expenses.

The Gun Intelligence Support Program is part of a continuing effort to support the strategic planning and accountability components of the Arizona Project Safe Neighborhoods (APSN) initiative by assisting the APSN Executive Council in their effort to support the prevention of violent firearm-related crime.

The Orchard Glen Weed and Seed Steering Committee requested that the Police Department apply for this grant to work in conjunction with the Weed and Seed Program. The City of Glendale was invited to apply for grant funds due to having a Weed and Seed Site.

In 2004, the Council approved the award of Project Safe Neighborhood Grant 04-3004.

This grant will assist the Police Department and the citizens of Glendale by providing resources to be proactive in gathering firearms intelligence such as GAIN member locations, juvenile crime, and violent acts committed with firearms in the Orchard Glen Neighborhood.

There is no financial match required for this grant. This is a one-time grant from the Arizona Criminal Justice Commission. A specific account will be established in Fund 47, the city's grant fund, once the grant agreements are formally executed.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
\$50,000		X	X		\$50,000

The recommendation was to waive reading beyond the title and adopt a resolution accepting a grant offer in the amount of \$50,000 from the Arizona Criminal Justice Commission and the Federal Bureau of Justice Assistance for Project Safe Neighborhoods Gun Intelligence Support Program.

Resolution No. 3893 New Series was read by number and title only, it being **A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE SUBMISSION AND ACCEPTING THE GRANT OFFER FROM THE ARIZONA CRIMINAL JUSTICE COMMISSION, PROJECT SAFE NEIGHBORHOODS, FOR A GUN INTELLIGENCE SUPPORT PROGRAM BY THE GLENDALE POLICE DEPARTMENT.**

4. LITCHFIELD ROAD UNDERPASS

This is a request for the City Council to adopt a resolution authorizing the entering into of a Memorandum of Agreement (MOA) with the United States of America, Department of Air Force for the alteration and new construction of the Litchfield Road Underpass at the Luke Air Force Base (AFB) north gate entrance.

This agreement supports the Council's goals of ensuring public safety and creating transportation options.

In an effort to improve base security, the Department of Air Force is minimizing entry control points into Luke AFB. Currently, Litchfield Road bisects the base, preventing unimpeded passage from one side to another. Several options were considered including closure of Litchfield Road from Glendale to Northern Avenues, constructing a bridge across the length of the base, and depressing Litchfield Road. After discussions with city staff, it has been determined that the best solution is to create an overhead crossing and grade separated intersection carrying the base's Thunderbird Street over the city's Litchfield Road. As part of this agreement, Luke AFB has agreed to grant the city a perpetual easement for public road purposes.

Constructing this underpass ensures that the road will remain open to the public and to emergency response vehicles.

Luke AFB has held meetings to present the proposed project to the public surrounding the base. There have also been stakeholder meetings with the various government agencies involved to discuss the proposed project.

There are no direct costs to the city as a result of this agreement.

The recommendation was to waive reading beyond the title and adopt a resolution authorizing the entering into of a Memorandum of Agreement with the United States of America, Department of Air Force for the Litchfield Road Underpass.

Resolution No. 3894 New Series was read by number and title only, it being **A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING AND DIRECTING THE ENTERING INTO OF A MEMORANDUM OF AGREEMENT WITH THE UNITED STATES OF AMERICA, DEPARTMENT OF AIR FORCE FOR THE ALTERATION AND NEW CONSTRUCTION OF THE LITCHFIELD ROAD UNDERPASS AT THE LUKE AIR FORCE BASE NORTH GATE ENTRANCE.**

5. DESIGNATION OF THE APPLICANT'S AGENT TO FINALIZE STATE DISASTER REIMBURSEMENT

This is a request for the City Council to authorize Rob Gunter, the city's Homeland Security Administrator, as the City of Glendale's applicant's agent with the federal and state governments, to administer the recovery and reimbursement of funds used in supporting declared disasters and emergencies.

The council's strategic priorities of providing financial stability and ensuring public safety and awareness are addressed.

During times of catastrophic emergency or disaster, the Mayor, the Governor of Arizona, or the President of the United States may declare emergencies or disasters that have reimbursable costs for the City of Glendale. The City of Glendale may be eligible to apply for state disaster and federal relief funds through the Arizona

Department of Emergency and Military Affairs, Division of Emergency Management and the Federal Emergency Management Agency (FEMA) during the inclusive dates of those catastrophic events. As part of the cost recovery process, the State Department of Emergency and Military Affairs requires the formal designation of an "Applicant's Agent", who is the city's authorized representative for the purpose of obtaining financial assistance under the Disaster Relief Act.

On October 30, 2001, the Council named the then City Manager as the applicant's agent for the reimbursement sought after the support provided to the tragic events of September 11, 2001.

This action will allow reimbursement of eligible costs expended by the City of Glendale, while providing support, response or recovery operations to catastrophic emergencies and disasters.

The recommendation was to waive reading beyond the title and adopt a resolution designating Rob Gunter, Homeland Security Administrator, as the City of Glendale's applicant's agent with the federal and state governments to administer the recovery and reimbursement of funds used in supporting declared disasters and emergencies.

Resolution No. 3895 New Series was read by number and title only, it being **A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE AGENT TO EXECUTE APPLICATIONS WITH THE ARIZONA DEPARTMENT OF EMERGENCY AND MILITARY AFFAIRS, DIVISION OF EMERGENCY MANAGEMENT AND THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FOR THE PURPOSE OF OBTAINING FINANCIAL ASSISTANCE UNDER THE DISASTER RELIEF ACT.**

It was moved by Clark, and seconded by Frate, to approve the recommended actions on Consent Resolution Agenda Item Numbers 1 through 5, including the approval and adoption of Resolution No. 3891 New Series, Resolution No. 3892 New Series, Resolution No. 3893 New Series, Resolution No. 3894 New Series, and Resolution No. 3895 New Series. The motion carried unanimously.

## **ORDINANCES**

### **6. DEEDS AND EASEMENTS ORDINANCE**

Mr. Jon Paladini, Deputy City Attorney, presented this item.

This is a request for the City Council to formally accept real estate properties on behalf of the City of Glendale.



The Deeds and Easements Ordinance is compiled of properties that have been deeded to the City. The City Clerk has recorded these deeds with Maricopa County. As a matter of practice, the Council formally accepts these properties by ordinance.

The recommendation was to waive reading beyond the title and adopt an ordinance formally accepting the real estate properties on behalf of the City of Glendale.

Ordinance No. 2462 New Series was read by number and title only, it being **AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, ACCEPTING DEEDS AND EASEMENTS FOR PROPERTY CONVEYED TO THE CITY OF GLENDALE.**

**It was moved by Martinez, and seconded by Clark, to approve Ordinance No. 2462 New Series. Motion carried on a roll call vote, with the following Councilmembers voting “aye”: Clark, Goulet, Lieberman, Eggleston, Martinez, and Frate. Members voting “nay”: none.**

7. OFFICIALSUPPLEMENTARY ZONING MAP ZMA-11

Mr. Jon Froke, AICP, Planning Director, presented this item.

This is a request for the City Council to approve Official Supplementary Zoning Map ZMA-11.

The “Official Zoning Map of the City of Glendale” is part of the Zoning Ordinance and identifies the official zoning district boundaries for all property within the City. The zoning district designations on the map can only be formally amended by the Council through the adoption of an ordinance. Staff updates the map to reflect the Council’s approval of individual zoning applications. These map updates are then periodically brought to Council for a formal map amendment when rezoning stipulations have been completed.

The Council approved 28 rezoning applications on ZMA-11 between July of 1997 and March of 2002. Official Supplemental Zoning Map ZMA-11 will formally amend the zoning map to reflect these changes.

The community benefits from the formal map amendment by providing accurate zoning districts.

The recommendation was to waive reading beyond the title and adopt an ordinance for Official Supplementary Zoning Map ZMA-11.

Ordinance No. 2463 New Series was read by number and title only, it being **AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AMENDING THE ZONING ORDINANCE OF THE CITY OF GLENDALE, ARIZONA BY ADOPTING OFFICIAL SUPPLEMENTARY ZONING MAP ZMA-11, WHICH AMENDS THE ZONING ON SPECIFIC PROPERTIES; AND ESTABLISHING AN EFFECTIVE DATE.**

It was moved by Clark, and seconded by Lieberman, to approve Ordinance No. 2463 New Series. Motion carried on a roll call vote, with the following Councilmembers voting “aye”: Clark, Goulet, Lieberman, Eggleston, Martinez, and Frate. Members voting “nay”: none.

8. ARIZONA PUBLIC SERVICE COMPANY ELECTRICAL EASEMENT: 51<sup>ST</sup> AND MARLETTE AVENUES

Mr. Larry Broyles, City Engineer, presented this item.

This is a request for the City Council to adopt an ordinance granting an easement in favor of Arizona Public Service Company (APS) for a new electrical easement at the city’s Rose Lane Park, located on the southeast corner of 51<sup>st</sup> and Marlette Avenues.

To accommodate the renovation of Rose Lane Park Pool, the city has asked APS for additional electrical service. APS has requested an easement to formally acknowledge its facilities in the new location.

The recommendation was to waive reading beyond the title and adopt an ordinance authorizing the City Manager to execute an easement in favor of Arizona Public Service.

Ordinance No. 2464 New Series was read by number and title only, it being **AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE CITY MANAGER TO EXECUTE A UTILITY EASEMENT IN FAVOR OF ARIZONA PUBLIC SERVICE COMPANY FOR A NEW ELECTRICAL EASEMENT AT ROSE LANE PARK ON THE SOUTHEAST CORNER OF 51<sup>ST</sup> AND MARLETTE AVENUES IN GLENDALE, ARIZONA; AND ORDERING THAT A CERTIFIED COPY OF THIS ORDINANCE BE RECORDED.**

It was moved by Lieberman, and seconded by Frate, to approve Ordinance No. 2464 New Series. Motion carried on a roll call vote, with the following Councilmembers voting “aye”: Clark, Goulet, Lieberman, Eggleston, Martinez, and Frate. Members voting “nay”: none.

9. SALT RIVER PROJECT IRRIGATION EASEMENT: 71<sup>ST</sup> AND GLENDALE AVENUES

Mr. Larry Broyles, City Engineer, presented this item.

This is a request for the City Council to adopt an ordinance granting an irrigation easement in favor of Salt River Project (SRP) along the south side of Glendale Avenue, east of 71<sup>st</sup> Avenue. The easement will enable SRP to relocate and tile its existing irrigation system to allow for the development of a new apartment complex, Desert Eagle, on the southeast corner of 71<sup>st</sup> and Glendale Avenues.

For aesthetics and safety purposes, the City and the developer of Desert Eagle Apartments have requested SRP to relocate and underground its existing irrigation ditch. As part of the Desert Eagle development, the developer has dedicated additional right-of-way and will also be making improvements to Glendale Avenue in the immediate area. The easement is necessary to formally acknowledge SRP's relocated facilities and existing land rights.

The recommendation was to waive reading beyond the title and adopt an ordinance authorizing the City Manager to execute an irrigation easement in favor of Salt River Project.

Ordinance No. 2465 New Series was read by number and title only, it being **AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE CITY MANAGER TO EXECUTE AN IRRIGATION EASEMENT IN FAVOR OF SALT RIVER PROJECT FOR THE DEVELOPMENT OF A NEW APARTMENT COMPLEX, DESERT EAGLE, ON THE SOUTHEAST CORNER OF 71<sup>ST</sup> AND GLENDALE AVENUES; AND ORDERING THAT A CERTIFIED COPY OF THIS ORDINANCE BE RECORDED.**

It was moved by Goulet, and seconded by Clark, to approve Ordinance No. 2465 New Series. Motion carried on a roll call vote, with the following Councilmembers voting "aye": Clark, Goulet, Lieberman, Eggleston, Martinez, and Frate. Members voting "nay": none.

**PUBLIC HEARING - RESOLUTION**

10. GENERAL PLAN AMENDMENT GPA04-11 AND REZONING APPLICATION ZON04-20: WESTGLEN VILLAS - 7290 WEST GLENDALE AVENUE

Mr. Jon Froke, AICP, Planning Director, presented this item.

This is a request by Hallcraft Homes for the City Council to approve General Plan Amendment Application GPA04-11 and Rezoning Application ZON04-20 located at 7290 West Glendale Avenue. The applicant is requesting to (1) amend the General Plan Land Use Map from HDR (High Density Residential) and OFC (Office) to MHDR

(Medium-High Density Residential) 5-8 dwelling units per acre; and (2) rezoning from R1-6 (Single Residence) and R-4 (Multiple Residence) to R1-4 PRD (Single Residence, Planned Residential Development).

The proposed General Plan Amendment is compatible with the adjacent development to the north, east, and south and will not be detrimental to the neighborhood nor the Planned Commercial designation to the west.

The proposed subdivision is compatible with the Medium-High Density General Plan designation. The R1-4 PRD adds to the city's housing stock, provides housing opportunities and housing unit diversity. This development incorporates sound growth management techniques by utilizing the surrounding infrastructure.

The applicant intends to build a gated 152-lot single-family subdivision, titled WestGlen Villas, on 30 acres at a density of 5.07 dwelling units per gross acre. Lot sizes vary from 4,022 square feet to 9,414 square feet with an average lot size of 4,345 square feet. The proposed minimum lot width is 42 feet and the proposed minimum lot depth is 85 feet. There are 118 lots between 4,022 and 4,200 square feet. There are nine lots between 4,201 and 4,400 square feet. The remaining 25 lots range in size from 4,401 to 9,414 square feet.

The Planning Commission recommended approval of this General Plan Amendment and Rezoning application with six stipulations as referenced in attachment number eight, Planning Commission Action Summaries (Rezoning Application ZON04-20).

The project promotes development of vacant property and provides housing that is compatible with the surrounding area. In addition, the development will reduce the number of dwelling units allowed on this parcel.

The applicant held a neighborhood meeting on September 29, 2004. Of the 850 property owners and interested parties invited to the meeting, seven people attended.

Initial concerns included residential density, access to the subdivision, lot size and on-site drainage. As a result, the developers stated they would continue working within the Subdivision Ordinance, City's Engineering Standards and the Residential Design and Development Manual to ensure all requirements are met.

The recommendation was to conduct a public hearing, waive reading beyond the title, and approve General Plan Amendment GPA04-11 and Rezoning Application ZON04-20 subject to the stipulations as recommended by the Planning Commission.

Councilmember Clark pointed out the applicant's narrative refers to the subject parcel as an infill property, asking if it is located within the city's designated infill boundaries. Mr. Froke responded yes, explaining it is considered infill in the sense it is on an arterial street and located in a primarily already developed area. Councilmember

Clark asked if specific parcels from 67<sup>th</sup> to 51<sup>st</sup> Avenues are defined as infill properties. Mr. Froke explained the city expanded the boundaries of the area for the rebated portion of the development impact fees two years ago; noting, the subject property is located outside of that boundary.

Mr. David Coble, Applicant's representative, offered to answer questions.

Councilmember Clark referred to the Proposed Land Use table on page 3 of the applicant's narrative, asking how much of the 5.52 acres of open space will be dedicated to perimeter landscaping and retention as opposed to usable open space. Mr. Cobel said they are providing an ample amount of open space, including a 50 foot landscape buffer and retention basin along Glendale Avenue, a pool, ramada and tot lot area on the interior of the site, and a trail system that runs throughout the project.

Councilmember Clark noted Page 5 of the narrative references a flat roof or shed roof, asking if the applicant intends to use such rooflines. Mr. Cobel said the housing product is currently under development.

Councilmember Clark referenced Item 13 on page 6, asking if landscaping will be included in the purchase price of the house. Mr. Cobel was unable to answer.

Councilmember Clark asked about the height of the existing apartment wall. She also asked why the applicant is not constructing an eight-foot wall to screen the commercial development to the west. Mr. Cobel said they are constructing an eight-foot wall along Glendale Avenue; however, he was unable to confirm the height of the wall adjacent to the apartment complex. Councilmember Clark said she is concerned because from what she has read it appears to be six feet in height. He acknowledged, typically, it would be a six-foot wall. He said he does not believe the applicant would have a problem increasing the height of the wall if the Council felt doing so would increase the safety of the project. Councilmember Clark asked the applicant to consider increasing the height of the wall.

**Vice Mayor Eggleston opened the public hearing on Agenda Item No. 10. As there were no comments, Vice Mayor Eggleston closed the public hearing.**

Resolution No. 3896 New Series was read by number and title only, it being **A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AMENDING THE GENERAL PLAN MAP OF THE CITY OF GLENDALE, ARIZONA, BY APPROVING GENERAL PLAN AMENDMENT GPA04-11 FOR PROPERTY LOCATED AT 7290 WEST GLENDALE AVENUE.**

**It was moved by Goulet, and seconded by Clark, to pass, adopt and approve Resolution No. 3896 New Series. The motion carried unanimously.**

## **RESOLUTION**

### **11. PURCHASE OF LAZY J TRAILER LODGE & RV'S: 6420 WEST MYRTLE AVENUE**

Mr. Roger Bailey, P.E., Utilities Director, presented this item.

This is a request for the City Council to authorize the purchase of the property known as the "Lazy J Trailer Lodge & RVs" (Lazy J) located at 6420 West Myrtle Avenue.

The Field Operations Complex has been in the Government Facilities Capital Improvements Plan (CIP) for the past several years. Completion of the complex will enhance the ability of the Field Operations Department to provide service that fulfills the strategic priority of the City Council of building and maintaining quality infrastructure for the city.

In July of 1997, during design of the Field Operations Complex master plan, the city discussed the possible purchase of the Lazy J with its owners, and found the owners to be receptive to a sale at appraised value. Funding for the purchase of the Lazy J is available in the Water and Sewer Fund of the Utilities Department as its contribution toward the construction of the Utilities Buildings within the Field Operations Complex.

Staff presented an offer to purchase the property for \$1,400,000, based on an appraisal of the property performed in May 2005. Based on anticipated market changes between the appraisal date and the date on which escrow would close, the owners made a counter-offer of \$1,500,000. Considering the current health of the real estate market, staff recommends acceptance of the counter-offer.

The cost to acquire the Lazy J will be the purchase price, typical closing costs, and costs associated with normal due diligence. Funds are available in Lazy J Trailer Lodge, Account No. 50-9222-8100.

<b>Grants</b>	<b>Capital Expense</b>	<b>One-Time Cost</b>	<b>Budgeted</b>	<b>Unbudgeted</b>	<b>Total</b>
	X		X		\$1,500,000

**Account Name, Fund, Account and Line Item Number:**

Lazy J Trailer Lodge, Account No. 50-9222-8100

The recommendation was to waive reading beyond the title and adopt a resolution authorizing the City Manager to execute all documents necessary to complete the purchase of the Lazy J Trailer Lodge & RV's.

Councilmember Clark asked if the trailer park currently has residents. Mr. Bailey said approximately 37 trailers are occupied at this time. Councilmember Clark pointed out it is not the city's intent to immediately evict those tenants. Mr. Bailey explained the city would simply not renew any leases, stating they hope all tenants will be relocated within the next four to five years. Councilmember Clark asked if the city would offer assistance in finding new places to locate if necessary. Mr. Bailey responded yes.

Resolution No. 3897 New Series was read by number and title only, it being **A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING AND DIRECTING THE CITY MANAGER TO ACQUIRE CERTAIN REAL PROPERTY LOCATED AT 6420 WEST MYRTLE AVENUE IN GLENDALE, MARICOPA COUNTY, ARIZONA, FOR THE COMPLETION OF THE FIELD OPERATIONS COMPLEX; AND DIRECTING THE EXECUTION OF ANY DOCUMENTS NECESSARY TO EFFECTUATE SAID PURCHASE.**

**It was moved by Martinez, and seconded by Frate, to pass, adopt and approve Resolution No. 3897 New Series. The motion carried unanimously.**

#### REQUEST FOR FUTURE WORKSHOP AND EXECUTIVE SESSION

**It was moved by Martinez, and seconded by Frate, to hold a City Council Workshop at 1:30 p.m. in Room B-3 of the City Council Chambers on Tuesday, October 4, 2005, to be followed by an Executive Session pursuant to A.R.S. 38-431.03. The motion carried unanimously.**

#### COUNCIL COMMENTS AND SUGGESTIONS

Councilmember Clark encouraged everyone to attend the Fire Parade this Saturday.

Councilmember Goulet said he also encourages everyone to attend the parade, as well as to participate in GAIN night that evening.

Councilmember Lieberman pointed out that the Council members will be involved in the parade. He noted that he would attend 15 different GAIN night parties.

Councilmember Martinez announced that a neighborhood meeting would be held September 29 at the Foothills Library. He said other neighborhood meetings would be held in January and April.

Councilmember Frate thanked the residents who serve on the city's Boards and Commissions. He said he is looking forward to the GAIN Night activities planned in his district. He welcomed back nine fire fighters who were serving in the Gulf region. He urged everyone to watch children around water.

Vice Mayor Eggleston also encouraged everyone to attend the parade and the various GAIN night activities.

## **ADJOURNMENT**

There being no further business, the meeting was adjourned at 7:50 p.m.

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Pamela Hanna - City Clerk